

Summary Notes		Department of Health Office of Environmental Health & Safety <i>School Rule Development Committee Meeting</i> <i>May 17, 2005</i>	
Facilitator	Mark Soltman	Note Taker(s):	Nancy Bernard, Bobbi Berry, Meliss Maxfield
Attendees:	Mark Cooper, Parent; Thelma Simon, Parent alternate; Diane McMurray, WSPTA; Janice Doyle, SNOW; Shirley Carstens, SNOW alternate; Brenda Hood, OSPI; John Richards, OSPI alternate; Ed Foster, WIFIS; Mike Gawley, WEA; Bill Chaput, CEFPI; Mary Sue Linville, WASBO; Jim Kerns, WASBO alternate; Paul Clark, WAMOA alternate; June Sine, WSSDA; Corrine Story, Skagit County Department of Health/Environmental Health Directors; Julie Awbrey, SRHD, EH; Dave DeLong, TPCHD, EH; John Wolpers, Kittitas HD, EHD; Mimi Walker, WASA DOH Staff: Maryanne Guichard, Mark Soltman, Meliss Maxfield, Nancy Bernard, Tim Hardin, Kelly Cooper SBOH Staff: Ned Therien, Bobbi Berry		
Absentees:	Gary Jefferis, WAMOA		
Guests:	Maria Mason, Dan Salzer, Denise Frizino		
AGENDA ITEM		DISCUSSION	
Welcome & Introductions Desired Outcomes: Review agenda & events of the day		Mark Soltman convened the SRDC at 9:12 am. He thanked the Lake Washington School District for the facilities and technology. Members / Alternates introduce their names and representation.	
Rule Development Goals, Timeline & Outcomes Review the Goals and the remaining process events and outcomes Consolidated SRDC Proposals—Review of the Consolidated Proposals & Voting for Level of Support		Mark Soltman introduced Maryanne Guichard. Maryanne thanked the members for their hard work and reviewed the School Rule Revision Public Health and Safety goals for the SRDC and the timeline. Full committee meetings will be held between now and June, and possibly into July, to finish the proposals. DOH wants to know how the committee feels about the proposals. Committee Members will show their support by using the voting cards. Staff will draft a revised rule by October. DOH has promised the SBOH to make every effort to finish in the set time frame. Maryanne will be attending as many meetings as possible. Mark Soltman stated that the workgroups came up with over 100 proposals. Those 100 proposals were grouped into the 5 Facility Health & Safety Principals. He reviewed the documents e-mailed and mailed to the members and alternates. The technical workgroups were productive and DOH is grateful for their work. There is not time to review every proposal from the workgroups, but the committee members are encouraged to share concerns or comments with colleagues. The proposal review process has been updated, replacing the one mailed to the SRDC. Mark explained the voting card process. Either the member or the alternate can vote, but not both.	
AGENDA ITEM		DISCUSSION	
Site School Facilities Wisely Proposal #1: Environmental Site Assessment		Referring to the SRDC Consolidated Workgroup Proposal form (brown). Nancy Bernard introduced the first proposal. The assessment is nationally recognized. Public schools are generally sites that do need to be evaluated and soil conditions, surrounding businesses, history of land, drainage, etc. assessed. Mark Soltman clarified that the SRDC will be voting twice. The first time for expressing support for the proposal to be in Rule, the second time for the proposal to be in Guidance. A green card is strong support, a yellow means you can live with it, a red card means disagreement / no support. Discussion / clarification: -Phase 1 is a historic review of the data; soil samples not taken, but determines if	

	<p>they're necessary. If recommended, samples would be part of Phase 2. -early identification is critical to remediation and cost control.</p> <p>-OSPI -could live with the first two paragraphs of proposal 1 in rule. Will support the 3rd paragraph as guidance only, not rule. In response to a question about what the state school construction grant program can match, stated that the SBOE matches those items that are authorized and funded by the Legislature.</p> <p>-law passed this session on soil contamination in schools and daycares requiring testing of Tacoma Smelter Plume area, some believe other areas of the state equally of concern.</p> <p>- concerns over issues with development of rural areas, unfunded mandates, existing schools</p> <p>-support from some for parts 1 & 2, concerns with part 3. SRDC separated the 2. -concerns from some with how broad part 3 is.</p>				
ACTION	The committee voted to move on with a split on 1a and 1b.				
	<i>SRDC Recommendation 1A:</i>	# Voting	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 1A be addressed in <i>RULE</i> .	16	13	3	0
	Recommend to DOH that SRDC Proposal # 1A be addressed in <i>GUIDANCE</i>	16	3	9	4
	SRDC Recommendation 1B:	<i># Voting</i>	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 1B be addressed in <i>RULE</i> .	15	3	4	8
	Recommend to DOH that SRDC Proposal # 1B be addressed in <i>GUIDANCE</i>	16	12	4	0
AGENDA ITEM	DISCUSSION				
Break - 10:15 am					

<i>Design Schools Appropriately</i> <i>Proposal #2: School Facility Design</i>	<p>Tim Hardin introduced proposal. The goal is to address school facility design in the planning process, the LHJ to be brought in as early as possible to coordinate plan review.</p> <p>Discussion / clarification:</p> <ul style="list-style-type: none">-New green building law passed this legislative session. Public schools, where “practicable” and depending on size, will be required to build to the LEED’s silver standard or the Washington Sustainable Schools Protocol (WSSP). The Legislature provided some money for this.-the second part (2B) - intent that schools pull LHJs into the plan review process early-concerns with duplicating existing (new) law. Perhaps belongs in guidance, particularly 2A.-unfunded mandate concerns, too many costs to maintain something that isn’t necessarily needed. The “greener” you get, the more “green” it takes to get there. More windows, more maintenance costs, cleaning and replacements. Ripple effect.-there are some things in the WSSP that conflict with CPTED (Crime Prevention through Environmental Design).-WSSP pilot projects have found improvement in student learning, absenteeism, and teacher retention.-some support for 2A in guidance on design standards and 2B in rule.-some support for both in rule-comment that if this was currently in place, a brand new school might not have had to put a new roof on the building 1 year later. There was a design flaw and it wasn’t caught during the initial design. <p>-Marianne Guichard reminded the committee that in rule benefits must be demonstrated to out weigh costs.</p> <p>Audience comment: A building has very poor IAQ and people are getting very ill; rashes, hospitalization. In support of this proposal.</p>				
ACTION	The committee voted to split into 2A and 2B.				
10:47 am	<i>SRDC Recommendation 2A:</i>	# Voting	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 2A be addressed in <i>RULE</i> .	16	7	1	8
	Recommend to DOH that SRDC Proposal # 2A be addressed in <i>GUIDANCE</i>	16	9	7	0
	SRDC Recommendation 1B:	# Voting	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 2B be addressed in <i>RULE</i> .	16	9	5	2
	Recommend to DOH that SRDC Proposal # 2B be addressed in <i>GUIDANCE</i>	16	7	6	3
<i>Design Schools Appropriately</i> <i>Proposal #3: Heating, Ventilation, & Air Conditioning</i>	<p>Tim Hardin introduced. Current state standards for ventilation are under WAC 51-13. WAC 246-366 has a minimum temperature, not a maximum.</p> <p>Discussion / clarification:</p> <ul style="list-style-type: none">-if schools do not have air conditioning, how can you enforce a minimum temperature? Is it workable?-audience comment: WEA IAQ meeting, rooms that are too hot to teach in was a big issue.-concerns over what should be the maximum temperature (ASHRAE links to relative humidity and has a scale). Separated this issue out as 3B.-concern that a maximum temperature for health & safety would be helpful to know, also when is it too hot for learning?-would this apply to new, remodeled, existing?-concern with what schools are realistically to do in the maximum temperature is exceeded				
ACTION	The committee voted to move on with a split on 3a and 3b.				

11:05 am	<i>SRDC Recommendation 3A:</i>	# Voting	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 3A be addressed in <i>RULE</i> .	15	10	4	1
	Recommend to DOH that SRDC Proposal # 3A be addressed in <i>GUIDANCE</i>	15	6	6	3
	SRDC Recommendation 3B:	# Voting	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 3B be addressed in <i>RULE</i> .	16	6	3	7
	Recommend to DOH that SRDC Proposal # 3B be addressed in <i>GUIDANCE</i>	16	7	8	1
AGENDA ITEM					
<i>Design Schools Appropriately Proposal #4: Spaces with Unique Needs</i>	Nancy Bernard introduced. Special needs in certain rooms need to be addressed. "Poisonous compound" - old language needs to be updated. Discussion / clarification: -Strong endorsement of this proposal. -OSPI supports -Design standards would be for new & remodeled, other standards may be also applied to existing. - Parking lot issue: Lack of a requirement for health rooms.				
ACTION	The committee voted to move on and vote for this proposal as referred by the workgroup.				
11:19 am	<i>SRDC Recommendation 4:</i>	# Voting	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 4 be addressed in <i>RULE</i> .	16	16	0	0
	Recommend to DOH that SRDC Proposal # 4 be addressed in <i>GUIDANCE</i>	16	1	8	7
<i>Design Schools Appropriately Proposal #5: Lead Content in Piping & Plumbing Fixtures</i>	Meliss Maxfield introduced. Issue that current fixtures are actually "low lead" - up to 8% lead. Newer fixtures are becoming available that are below 1% lead. Discussion / clarification: - "No" lead doesn't exist, but under 1% -concern that the language implies more research needed. Problem is that EPA is working on this issue at this time. -this would apply to new, remodel (would apply usually to that portion of the building), identified problems. Remediation means to fix the identified problem. -workgroup unanimously supported this issue. -concerns with the language, though the group was reminded that it was not writing rule language, but conveying intent. Consensus that it still needed rewording over lunch. -Current drinking water rules, WAC 290, will need to catch up - "No lead" is at 8%. -It is believed that some of the schools that are having problems comply with the 8% number currently in rule, which has been in the WAC since the mid '80's.				
ACTION	Committee agrees to take lunch break and come back to proposal #5. Committee asked that Mark Soltman re-word the language and then possibly they would be able to agree on a vote. No vote at this time.				

AGENDA ITEM	
Lunch- 11:40 am - 12:40 am	

AGENDA ITEM	Finish proposal #5				
<i>Design Schools Appropriately Proposal #5 Continued: Lead Content in Piping & Plumbing Fixtures</i>	New language: "Require "no lead" fixtures, fittings, solder and piping for all new school buildings, and when replacing fixtures, fittings, and piping." "For all new school buildings, and when replacing fixtures, fittings, and piping, galvanized pipe used for drinking water must meet appropriate ASTM standards."				
ACTION	The committee voted to move on and vote for this new proposal language.				
	<i>SRDC Recommendation 5:</i>	# Voting	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 5 be addressed in <i>RULE</i> .	16	16	0	0
	Recommend to DOH that SRDC Proposal # 5 be addressed in <i>GUIDANCE</i>	No Vote			
AGENDA ITEM					
<i>Design Schools Appropriately Proposal #6: Integrated Pest Management</i>	<p>Nancy Bernard introduced. Design is an important element of IPM. Pests can be built out; design elements can reduce or eliminate the need for herbicides.</p> <p>Discussion / clarification: -Department of Agriculture has the notification rules for schools when pesticides are used and they license applicators. The public health aspects of pest control reside in DOH and LHJs. DOH provides guidance in use, toxicology, chemical exposure, and controlling pests of public health significance. Many agencies work together on the School IPM committee including Ag, DOH, EPA, WSU, ECY, WTC, school districts, and community members. They have developed a model plan for school IPM and have pilot projects.</p> <p>June Sine left at 12:58</p>				
ACTION	The committee voted to move on and vote for this proposal.				
1:00 pm	<i>SRDC Recommendation 6:</i>	# Voting	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 6 be addressed in <i>RULE</i> .	15	11	2	2
	Recommend to DOH that SRDC Proposal # 6 be addressed in <i>GUIDANCE</i>	15	5	9	1
AGENDA ITEM					
<i>Design Schools Appropriately Proposal #7: Selection of Ancillary Equipment / Playgrounds & Athletic Fields</i>	<p>Nancy Bernard introduced. There are no regulations for playgrounds in this state; only guidelines. Treated wood can present a hazard to children.</p> <p>Discussion / clarification: -this would apply to upgrading and new playgrounds. -3 would require surfacing to meet ASTM surfacing standards. -OSPI will not support rule but will support guidance -OSPI concerned with a lack of CPSIs in the state (resource issue). -There may be more than realized, many LHJs and school districts have CPSIs. -concern that local health jurisdictions would be pulled out of the loop. -support for concept because of safety issues. -support for the proposal as it is written. Playgrounds should remain a separate plan review from the building. -supports the proposal because it is providing the safety measures for the children.</p>				
ACTION	The committee voted to move on and vote for this proposal.				

1:18 pm	<i>SRDC Recommendation 7:</i>	# Voting	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 7 be addressed in <i>RULE</i> .	15	9	1	5
	Recommend to DOH that SRDC Proposal # 7 be addressed in <i>GUIDANCE</i>	15	7	8	0

AGENDA ITEM	DISCUSSION
<i>Construct Schools as Designed Proposal #8: Assist & Assure Proper Construction / Constructability Review, Commissioning</i>	<p>Tim Hardin introduced. All buildings would have the same standards (IAQ), encourage greater communications between offices; local health, building dept. etc...</p> <p>Discussion / clarification:</p> <ul style="list-style-type: none"> -OSPI requires and pays for Constructability Review, Value Engineering, and Commissioning on State match projects over 50,000 sq. ft.; 15,000-50,000 sq. ft.: voluntary under state match, but state will pay. -Concern raised with costs for projects outside these state match projects -There was extensive discussion over various sections of the Proposal, who has authority, what "persistent" means, SBOEd authority from the Legislature over CR, VE, & Commissioning, small, private, and non-state match projects being left out, the necessity for CR, VE, commissioning, their applicability to PH. -There is significant variability in the support for various parts of the proposal. DOH will reconfigure them for the 5-31 meeting. <p>-Karen Van Dusen left at 2:00pm</p> <p>Mark Soltman- States that he would like the committee to take their afternoon break so everyone could collect their thoughts and return to discuss proposal # 8 in more depth.</p>
Break - 1:55 - 2:10 pm	
AGENDA ITEM	DISCUSSION
<i>Construct Schools as Designed Proposal #8 Continued: Assist & Assure Proper Construction / Constructability Review, Commissioning</i>	<p>Mark Soltman asks the committee members what particular issues / concerns they have with proposal #8.</p> <ul style="list-style-type: none"> -paragraph 1 is too broad, do they all need to undergo the review? -Paragraph 3, DOH probably only needs to have short reviews. -Last 2 paragraphs, inspecting new buildings is a day long process and to hunt down "lead-free" pipes would be difficult. -What does constructability review have to do with EH? It concerns whether the building can be built as designed. -commissioning can be considered an EH&S issue -temporary occupancy permit: to make sure someone comes back to check up on the building, does pertain to health issues.
ACTION	Committee asked that each item in proposal #8 be voted on separately. Committee voted to move on to proposal #11 and return to proposal #8 - 10 at the next meeting after some adjustment by staff.
<i>Operate & Maintain Schools Effectively Proposal #11: Integrated Pest Management</i>	<p>Nancy Bernard introduced. IPM concerns controlling pests using the least toxic methods. It is not intended to ban pesticides, but to reduce their use as much as possible and use alternatives. This proposal repeated because there are Design aspects to IPM (Proposal # 6) and M&O aspects.</p> <p>Discussion / clarification:</p> <p>Audience comment: Supports proposal; IPM is more cost effective and healthier than traditional pest control.</p>

ACTION	The committee voted to move on and vote on proposal #11.				
2:38 pm	<i>SRDC Recommendation 11:</i>	# Voting	GRN	YEL	RED
	Recommend to DOH that SRDC Proposal # 11 be addressed in <i>RULE</i> .	13	11	2	0
	Recommend to DOH that SRDC Proposal # 11 be addressed in <i>GUIDANCE</i>	13	3	10	0
AGENDA ITEM	Proposal # 12 to be addressed 5-31.				
<i>Operate & Maintain Schools Effectively</i> <i>Proposal #13:</i> <i>Playgrounds</i>	<p>Nancy Bernard introduced. This time, we're dealing mainly with the last 2 paragraphs with existing playgrounds - M&O issues. Reduce head injuries, entrapments, protrusions, impalements that cause injuries.</p> <p>-Committee members agreed that they are willing to vote on only what they haven't already voted on in previous proposals.</p> <p>-Mark Soltman: we will wait to vote on at the next meeting after language previously voted on is removed.</p>				
<i>Meeting Debrief</i>	<p>- Comment: concern that drinking water proposed standards from EPA will come into question; perhaps the SRDC needs more information.</p> <p>- Comment: we need to be careful or we might be re-doing the workgroup work instead of continuing on with the committee work. Need to focus on passing proposals.</p> <p>-Desire that Proposals be reworked to remove duplication, clarify what parts belong in the 5 School Facility Health & Safety Principals.</p> <p>-Comment: would like to thank staff for getting all the paper work and information to the committee in such a timely manner.</p>				
<i>Parking Lot Issues - for future consideration</i>	<p>Lack of a requirement for health rooms.</p> <p>Developing a list of key terms and definitions.</p>				
HANDOUTS					
1. Agenda 2. Consolidated Proposals 3. Cross-walk matrix 4. Updated Flow chart & timeline for SRD 5. Proposal for timed discussion 6. Final Decision Agendas from IAQ, DW, & Safety workgroups 7. Supplemental materials for notebooks	Adjourn: 3:00 PM Next meeting: Tuesday May 31, 2005, 9 AM - 4 PM Sea-Tac Occupational Skills Center 18010 - 8 th Ave. S., Seattle, WA 98148				